

CC Docket No. 94-102 – September 2005 E911 Interim Report

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Date: September 2005

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**TIER III CARRIER INTERIM REPORT AND
NOTICE OF ELECTION CHANGE UNDER 47 C.F.R. §20.18(i)
September, 2005
CC Docket No. 94-102**

Commnet of Florida, L.L.C. ("Commnet-FL") hereby submits its E911 Interim Report, pursuant to *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Phase II Compliance Deadlines for Non-Nationwide CMRS Carriers*, CC Docket No. 94-102, *Order*, 20 FCC Rcd 7709, 7771 ¶172 (2005) ("*Order*").

Carrier Identifying Information:

Carrier Name: Commnet of Florida, L.L.C. – FRN 0005-2580-90

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Notice of Change in E-911 Implementation:

Commnet-FL hereby notifies the Commission that it is changing its implementation of E-911 from a handset-based solution to a network-based solution. Commnet-FL operates a TDMA technology system and intends to add a GSM technology overlay. There are no TDMA or GSM handsets that are location-capable, so incoming roamers would not have such handsets. The only TDMA or GSM E-911 solutions currently available for purchase are network-based solutions, so Commnet-FL has agreed with its local PSAP to purchase and install a network-based solution.

However, as discussed below, Commnet-FL continues to require a waiver of E-911, as it could never meet the location accuracy thresholds set forth in §20.18 of the rules using a network-based solution.

E911 Implementation Information:

Commnet-FL is operating as a "carriers' carrier". Thus, Commnet-FL has no subscribers and will not have any subscribers. Based on this premise, Commnet-FL hereby reports as follows:

- Commnet-FL has received only one Phase I request and one Phase II request, both from the PSAP for Monroe County, FL. Monroe County is the only county in Commnet-FL's market (Florida RSA #11) and, thus, the Monroe County PSAP is the only PSAP in Commnet-FL's market. Commnet-FL, with the assistance of Intrado, Inc., has been in continuous communications with the Monroe County PSAP regarding the implementation of both Phase I and Phase II E-911 in the market. Indeed, at the insistence of the Monroe County PSAP, Commnet-FL has abandoned its plans to utilize a hand-set based solution for Phase II E-911 and is implementing a network-based solution, even though, as discussed in detail below, the network-based solution will never be able to satisfy the accuracy requirements prescribed by §20.18 of the Commission's rules. The Monroe County PSAP has agreed that Commnet-FL

will be timely in its implementation of Phase II E-911 if the network-based solution is deployed by February 2006. That PSAP has also agreed that if Commnet-FL timely implements this network-based solution and that solution fails to provide location accuracy at the level called for in §20.18 of the rules, that Commnet-FL would be entitled to a waiver of the accuracy standards.

- Commnet-FL has obtained and installed all of the equipment and software necessary to meet the PSAP's Phase I request, and has obtained from BellSouth, the local exchange carrier ("LEC"), a landline connecting the PSAP to the switch in Miami, FL. Implementation of Phase I is complete.
- Commnet-FL was advised by the Board of Monroe County Commissioners that Florida is a cost recovery state. Although Commnet-FL must advance all implementation costs, Commnet-FL applied for and will receive reimbursement from the State of Florida for the costs of the acquisition and implementation of the network-based Phase II E-911 solution. Commnet-FL has no subscribers and thus has no means of self-funding the Phase II implementation fees and recurring costs via subscriber pass-throughs. If not for the availability of cost recovery from the State of Florida, Commnet-FL would not be able to acquire and install the network-based Phase II solution.
- Commnet-FL is using analog and TDMA technology, but still plans to migrate to GSM technology in the future. Commnet-FL originally elected a handset-based solution for its Phase II E-911 deployment because both financially and, more importantly, technologically it is the only viable solution. However, there still is no Phase II-compliant handset-based solution available for either TDMA or GSM technology, and it appears that one will not become available any time in the near future. The Monroe County PSAP did not want to wait indefinitely for a handset-based solution to be developed and insisted that Commnet-FL deploy Phase II E-911 using a technology that is currently available. Because the State of Florida has a cost recovery program which will reimburse Commnet-FL for 100% of its costs, Commnet-FL is now electing and implementing a network-based solution for Phase II deployment.
- The only Phase II-compliant network-based solutions available are based on either triangulation techniques, which can work only when the network is receiving location information on the involved mobile unit from three different cell sites, or angle of arrival techniques ("AOA"), which can work only when the network is receiving location information from at least two different cell sites. Commnet-FL has elected to use the True Position network-based Phase II solution and has begun implementation of same.

As previously reported, the only portion of Commnet-FL's market not located in the Everglades and thus off limits to cell site construction, are the Florida Keys, which consists of a string of very tiny and narrow islands. Because Commnet-FL's cells are located along a string of islands, they are necessarily constructed in a classic string-of-pearls arrangement. Thus, although the True Position solution will allow for greater accuracy than Phase I, it will not meet the Phase II accuracy standards. Rather than obtaining a single point, at best Commnet-FL will be able to determine where the mobile signal is somewhere along a two-

dimensional line. Although the narrowness of the Keys will enable Commnet-FL and the PSAP to plot where that line crosses land, the caller location will be identifiable only if the mobile signal is coming from somewhere on land. Accuracy likely will not be better than Phase I where a mobile signal is coming from somewhere on the water (*e.g.*, from a boat). Therefore, Commnet-FL will never reach a 95% accuracy level on a system-wide basis, as prescribed by §20.18 of the Commission's rules, utilizing the True Position network-based Phase II solution.

- Commnet-FL does not anticipate that its True Position Phase II deployment will ever comply with the accuracy requirements prescribed by the Commission's rules, for the reasons discussed above, which are beyond Commnet-FL's control. Commnet-FL will be amending its waiver request currently pending at the Commission to seek a permanent waiver of only the Phase II accuracy requirements under §20.18 of the rules.
- With regard to meeting the ultimate implementation date of December 31, 2005, see above.